



CONTINENTAL BREAKFAST GUIDANCE DOCUMENT

These general guidelines for applying the *Rules and Regulations Governing Retail Food Establishments in the State of Colorado* are provided by the Colorado Department of Public Health and Environment, Consumer Protection Division. Additional information about the rules and regulations may be obtained by calling 303-692-3620, or visiting the division's web page - www.cdphe.state.co.us/cp

The following information is intended to clarify Section 1-202 (54)(H) and (I) of the *Colorado Retail Food Establishment Rules and Regulations* as it pertains to the operation of continental breakfasts. The Regulations state that "Retail Food Establishments" do not include:

- "Establishments preparing and serving only hot coffee, hot tea, instant hot beverages, and non-potentially hazardous doughnuts or pastries obtained from sources complying with all laws related to food and food labeling, and;"
- "Establishments that handle only non-potentially hazardous prepackaged food and operations serving commercially prepared, prepackaged foods requiring no preparation other than the heating of food within its original container or package."

This document is intended to serve as guidance to what can and cannot be served at an exempt continental breakfast operation and what food and/or operations require an establishment to obtain a retail food establishment license.

These foods and beverages may be served *without requiring a retail food establishment license:*

- Bread products
 - ◆ Toast, bagels, biscuits, english muffins, and shelf-stable pastries, purchased from an approved source, and individually wrapped or presented with a serving utensil
- Butter, cream cheese, and mayonnaise in individual serving packets
- Coffee creamers
 - ◆ In shelf-stable individual packets obtained from a commercial source that are labeled UHT (Ultra High Temperature) and/or "No Refrigeration Needed" or "Needs No Chill", or
 - ◆ Shelf-stable powder bulk packs that do not require a utensil to serve
- Fresh fruits like oranges and bananas that must be peeled to be eaten
- Frozen breakfast sandwiches and/or burritos
 - ◆ Purchased pre-made and individually wrapped from a commercially approved source and guests heat the sandwiches for themselves in a microwave
- Frozen waffles
 - ◆ Purchased pre-made and individually wrapped from a commercially approved source. Waffles wrapped by the establishment from a bulk package are not acceptable, ie. Eggo's
 - ◆ The guests open the wrappers and heat the waffles for themselves
- Breakfast bars
 - ◆ In individually wrapped packaging
- Hot beverages
 - ◆ Coffee, tea, instant cocoa and cider
- Jams, jellies, and pancake syrup
 - ◆ In individual commercially prepared approved packages (syrup from a squeeze bottle is acceptable as long as it is not re-filled)
- Juices
 - ◆ In unopened individual sized serving cartons or bottles or dispensing units that have no washable parts.
- Hot Breakfast Cereals
 - ◆ Individual serving packets requiring only hot water for preparation

**Serving any of the following foods and beverages will *require* a
retail food establishment license**

- Any food of animal origin, any meat or seafood
 - ◆ Unless commercially prepared and presented to the guest frozen and wrapped, such as a sandwich that will be heated in a microwave for immediate consumption.
- Any food of plant origin that has been cooked
- Bacon, beans, biscuits and gravy, cheese, cream cheese not individually packaged, eggs, mayonnaise in a jar, pasta, potatoes, rice, sausage, sour cream, yogurt, or any other potentially hazardous food
- Cold cereals or granola in which milk will be added
- Milk intended for consumption as beverage topping, (i.e. for dry cereal) or condiment
- Fresh fruits
 - ◆ Those that **must be washed** before eating, such as apples or grapes
 - ◆ Those that **are cut and/or sliced**, such as melons
- Ice, other than customer self-service from the motel ice machines
- Juices
 - ◆ Served from a pitcher or other utensil, or from a dispenser that has parts which require washing
- Hot breakfast cereal(s) that is cooked in multiple serving amounts
- Waffle or pancake batter that is prepared by the establishment in bulk or individual servings